



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10

1200 Sixth Avenue, Suite 900  
Seattle, WA 98101-3140

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SB-C

OCT 15 2012

OFFICE OF  
COMPLIANCE AND ENFORCEMENT

Reply to: OCE-127

**Certified Mail Number 7011 2970 0000 0876 3159**  
**Return Receipt Requested**

James Cagle, Risk Manager - EHS  
Nu-West Industries, Inc.  
Agrium Conda Phosphate Operations  
3010 Conda Road  
Soda Springs, Idaho 83276

FILE COPY

Re: Deviation from Revised On-Site Supplemental Work Plan Well Completion Requirements;  
Administrative Order on Consent for Nu-West CPO Facility; EPA Docket No. RCRA-10-2009-0186

Dear Mr. Cagle:

This letter serves as a follow up to a conference call held on October 5 among EPA, the Idaho Department of Environmental Quality, and your contractor WSP Environment & Energy. We discussed the use of alternate monitoring well completion methods that would deviate from the approved Work Plan for Additional Requirements. In my email to you later that day, EPA approval was given for the use of either "Wyo-Ben" product or a "bentonite-cement slurry grout containing no more than 5% bentonite," as stated in the June 29, 2012 Work Plan, for sealing of the annular space of the wells.

There may be a similar need for the use of an alternate grout material for completion of wells under the Revised On-Site Supplemental Investigation Work Plan. This work plan states the following on page 7:

The remaining annular space will be sealed with a bentonite-cement slurry grout containing no more than 5% bentonite per Idaho Administrative Rules for well construction.

Modifications in the work plans utilized in carrying out the administrative order may be made by written agreement of the project coordinators, as provided by paragraph 129 of the administrative order.

EPA is agreeable to modification of paragraph 5 on page 7 of the Revised On-Site Supplemental Investigation Work Plan to allow for the use of either Wyo-Ben product or the "bentonite-cement slurry grout containing no more than 5% bentonite," provided that you agree.

If you have any questions, please feel free to call me at (206) 553-2964. Alternatively, you may reach me via email at: [Magolske.Peter@epamail.epa.gov](mailto:Magolske.Peter@epamail.epa.gov). Thank you for your attention to this important matter.

Sincerely,

Peter Magolske  
Air / RCRA Compliance Unit

cc: Brian Monson, Idaho Department of Environmental Quality  
P. Scott Burton, Esq. Hunton and Williams LLP